

**Exhibit D**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS**

**CHARITABLE DAF FUND, L.P.,  
and CLO HOLDCO, LTD.,  
*directly and derivatively,***

**PLAINTIFFS,**

**V.**

**HIGHLAND CAPITAL MANAGEMENT,  
L.P., HIGHLAND HCF ADVISOR, LTD.,  
and HIGHLAND CLO FUNDING, LTD.,  
Nominally,**

**DEFENDANTS.**



**Case No. 3:21-cv-00842-b**

**DECLARATION OF RICHARD BOLEAT IN SUPPORT OF  
HIGHLAND CLO FUNDING, LTD.'S MOTION TO DISMISS**

I, Richard Boléat, pursuant to 28 U.S.C. § 1746(a), declare under penalty of perjury the following:

1. I am one of two directors of Highland CLO Funding, Ltd. (“HCLOF”). I have been a director of HCLOF since 7<sup>th</sup> July 2020. The other director, Richard M. Burwood, was also appointed on 7<sup>th</sup> July 2020.
2. Mr. Burwood and I are the only directors of HCLOF.
3. HCLOF’s corporate headquarters is in the Bailiwick of Guernsey, a Channel Island lying between the United Kingdom and France. All operations of HCLOF take place within Guernsey’s limits. Mr. Burwood is a resident of Guernsey, and I am a resident of the Bailiwick of Jersey, another Channel Island.
4. HCLOF conducts no business operations or activities in the United States. It manages its holdings in various Acis entities, and directs its counsel, from Guernsey. It has no

continuous or systematic contacts with the United States, and its directors have not traveled to the United States in connection with HCLOF's business.

5. HCLOF's connection with the United States is limited to this litigation and other litigation arising from the acts of its portfolio managers.

Dated: 30 August 2021



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Richard Boléat